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**REMARKS**

This response is to the Office Letter mailed in the above-referenced case on September 26, 2003. Claims 1, 2, 3, 4, 7, 8, 10, 11, 13, 14, 15, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (6,580,950) hereinafter Johnson, in view of Anuff et al. (6,327,628), hereinafter Anuff. Claim 9 is rejected under 35 U.S.C. as being unpatentable over Johnson in view of Anuff and further in view of Austin. Claims 12 and 17 are rejected under 35 U.S.C. as being unpatentable over Johnson in view of Anuff and further in view of Brown et al. (6,604,075) hereinafter Brown. Claim 5 is rejected under 35 U.S.C. as being unpatentable over Johnson in view of Anuff and further in view of Austin. Claim 6 is rejected under 35 U.S.C. as being unpatentable over Johnson in view of Anuff, Austin and further in view of Brown.

Applicant has carefully studied the rejections, the Examiner's remarks, and the provided references. In response to the Examiner's rejections and statements, applicant argues that the art presented by the Examiner does not combine to provide a Prima Facie Section 103(a) case against the standing claims. Applicant's arguments below patentably distinguish applicant's claimed invention over the prior art of Johnson and Anuff.

Regarding independent claims 1, 7 and 13, the Examiner states that Johnson discloses a software control-module for enabling a user to monitor and control home-automated-systems and appliances from a remote interface on a data packet-network, but lacks a teaching in that the software control module is distributed to pre-selected network locations frequented by a user such that the user may have control over home-automated systems and appliances while visiting the network location during network navigation.

The Examiner relies on Anuff to teach a portal server containing a plurality of modules, which contain network resources that can be accessed through the portal.

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The Examiner states that it would have been obvious to modify the control module of Johnson to be characterized by which it is sent to a certain portal server, as taught by Anuff, for the purpose of allowing the Web locations frequently visited by users to simultaneously view/use different sites on the same Web interface.

Applicant believes the Examiner is not correctly interpreting applicant's claim language when applying the reference of Anuff. Applicant argues that the Examiner is giving no patentable weight to the limitations in applicant's base claims reciting distribution capability. Applicant's claim 1 clearly states that the software-control module is distributed to pre-selected network locations frequented by a user such that the user may have control over home-automated systems and appliances while visiting the network location during network navigation.

Applicant believes that the Examiner is confusing the invention of Anuff, which teaches a modular portal server providing portal service at a single network location, to numerous network sites, with the ability to provide the portal service on a variety of network sites as in applicant's claimed invention. In applicant's invention a user does not have to go to the proprietary server page, as in Anuff. In applicant's invention, the portal is embedded at a number of third party servers. The user in applicant's invention is not traveling the network to a proprietary server to access a portal page to interact with, as in Anuff.

Applicant directs the Examiner's attention to Figure 13 of applicant's drawings wherein a home-automated-control-system (HAC) server 214 is illustrated within Internet 215 and connected to backbone 229. HACS server 214 is adapted as a main server for interface to all subscribers of HAC services. Server 214 is analogous to server 27 of Fig. 1.

A plurality of Web servers (WS) 237, 239, and 241 are illustrated within Internet 215 as having connection to backbone 229. Servers 237-241 are adapted as main servers hosted by companies providing various Internet services to subscribers of such services. It may also be assumed in this example that the user of premise 219 and location 220 spends considerable time interacting with electronic information

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pages contained in each of servers 237-2 41.

An instance of a distributed control window (DCW) 224 according to an embodiment of the present invention is provided at servers 237-2 41 associated with one or more information pages and is displayed on Internet appliance 222. DCW 224 is a software interaction window that is embedded within specific electronic information pages contained within servers 237-2 41. The instance of DCW 224 illustrated on Internet appliance 222 represents the downloaded and displayed version of DCW 224 at servers 237-2 41. DCW 224 is a distributed module that enables, in this case, the user operating from location 220 to monitor and make changes to his or her home automated systems or appliances set up at user premise 219.

An instance of DCW 224 is embedded within a main Web page subscribed to and frequented by the user operating from remote location 220. In this way, a user may have certain control over his or her home automated systems or appliances without being required to navigate to server 214.

Applicant argues that the portal service of Anuff is a typical portal page as known in the art, located at one server. There is no ability in Anuff to distribute the portal software to third party servers associated with the user. The art of Johnson and Anuff provide no motivation or suggestion to distribute the portal software on other servers. Applicant believes the only motivation to do so is founded solely in applicant's specification and not in the known art. Therefore, the obviousness rejection fails to prove a valid prima facie rejection.

Applicant believes claims 1, 7 and 13 are clearly patentable over the art presented by the Examiner, as the claims contain the limitations successfully argued above. Claims 2-6, 8-12 and 14-18 are patentable on their own merits or at least as depended from a patentable claim.

As all of the claims as amended are patentable to the Applicant over the art of record, the Applicant respectfully requests reconsideration and that the case be passed quickly to issue.

If there are any extensions of time required beyond any extension specifically

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petitioned and paid with this response, such extensions are hereby requested. If there are any fees due beyond any fees paid by check with this response, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully,  
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by



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